

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 10, 1999

DIVISION TWO

B115973 People (Not for Publication)
v.
David Hines, Jr.

The Court:

The judgment is modified to strike the \$200 fine imposed under Penal Code section 1203.097, subdivision (a)(5), and, as modified, is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

[illegible]

The Court:

The orders under review are affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B118079 Charles Markel
v.
City of Los Angeles

Filed order denying petition for rehearing.

B116004 People
v.
Jose Rafael Vargas

Filed order denying petition for rehearing.

March 10, 1999-Continued

DIVISION THREE

B115444 Roderick Lockett (Not for Publication)
v.
Interscope Records

The judgment is affirmed. Interscope is awarded costs on appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B118762 Jeffery Duarte (Not for Publication)
v.
Yousef Abdelsayed

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B127210 Los Angeles County, D.C.S. (Not for Publication)
v.
Ramon U.

The appeal is dismissed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B124536 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Lisa F.

The appeal is dismissed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B127732 Susan W. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (Los Angeles County Department of Children & Family Services, r.p.i.)

The petition is denied.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B112214 People (Not for Publication)
 v.
 Taylor

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
 Croskey, J.

March 10, 1999-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is reversed and the matter is remanded to the trial court for exercise for resentencing in accordance with the views expressed herein. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

[illegible]

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B117280 People (Not for Publication)
v.
Sevilla

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

B111986 Kokkonen
 v.
 Hagmaier

Argument is continued to May 14, 1999.

B118533 Kieling
 v.
 Brinkenhoff

Argument is continued to June, 1999.

B118604 Inwood
 v.
 Harry A. Levinson Trust

Merits:

Argued by Ira D. Riskin for appellant and by Dawn Schock for respondent.
Cause submitted.

B104170 Laursen
 v.
 Evans

Merits:

Argued by Nicholas D. Clark for appellants Laursen, by Brian Lee Evans respondent - cross appellant appearing in propria persona and by Greg A. Coates for cross respondents Laursen. Cause submitted.

Burke, J. (Assigned) leaves the bench.

DIVISION SIX (Continued)

B119845 Green
 v.
 Madonna Construction Co.

Merits:
Argued by Anahid N. Silah for appellant and by Tana L. Sinclair for respondent. Cause submitted.

B119925 Yates
 v.
 Southern California Permanente Medical Group

Merits:
Argued by Beth A. Shenfeld for appellant and by F. Scott Page for respondent. Cause submitted.

B118848 King
 v.
 King

Merits:
Argued by Hugo C. Diaz for appellants - cross respondents and by Michael A. Pina for respondents - cross appellants. Cause submitted.

B119073 Central Mutual Ins. Co.
 v.
 Clean Steel, Inc.

Merits:
Argued by Thomas C. Sites for appellant, by Wayne S. Kreger for respondent Central Mutual Insurance Co. and by H. Douglas Galt for respondent Transportation Insurance Co. Cause submitted.

Court recessed at 12:00 P.M.

DIVISION SIX (Continued)

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

Each of the following:

B121489 Marriage of Gowing
B122691 Dolan v. DMV
B124127 Gazaui v. DMV
B123871 Department of Social Services v. Paula R.

Argument waived, cause submitted.

B122695 Girard
 v.
 Chevron Corp.

Merits:
Argued by John J. Flynn for appellant and by David W. Tredway for respondent. Cause submitted.

B122781 Department of Social Services
 v.
 Sabina D. & Fidel D.

Merits:
Argued by Suzanne K. Biely for appellants and by Patricia Stevens, Deputy County Counsel, for respondent. Cause submitted.

B120219 Moore
 v.
 State of California

Merits:
Argued by Lloyd Porter for appellant and by David Adida, Deputy Attorney General, for respondents. Cause submitted.

Burke, J. (Assigned) leaves the bench.

DIVISION SIX (Continued)

B122675 Kolbe Foods, Inc.
 v.
 Mirzai

Merits:

Argued by Melbourne B. Weddle for appellant. Argument waived by Melissa Kolbe, respondent appearing in propria persona. Counsel for appellant is allowed seven days to serve and file a letter brief, at which time the matter will stand submitted.

B117200 Mercury Insurance Co.
 v.
 Frederick

Merits:

Argued by John V. Hager for appellant and by Ronald P. Kaplan for respondent. Cause submitted.

Court adjourned at 2:35 P.M.

DIVISION SEVEN

B119570 Los Angeles County, D.F.C.S. (Not for Publication)
 v.
 Justin W.
 In re Michael W., a minor

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
 Neal, J.

B122949 People
 v.
 Tatiana B., a minor

Filed order certifying opinion for publication.

March 10, 1999-Continued

DIVISION SEVEN (Continued)

B108331 People (Not for Publication)
v.
Dzhulakyan

The judgments are affirmed as modified to include the additional fines required by Penal Code section 1202.45.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B122483 Pacific Indemnity (Not for Publication)
v.
American Motorists Insurance Co.

The judgment is affirmed. Respondent to recover costs on appeal.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

B127972 In re Andre T. and Jasmen T., minors (Not for Publication)
Lieutenant T.
v.
Superior Court, Los Angeles County
(D.C.F.S., Los Angeles County, r.p.i.)

Because substantial evidence supports the juvenile court's order to conduct a hearing pursuant to section 366.26, the petition is denied on the merits.

Woods, J.

We concur: Johnson, Acting P.J.
Neal, J.

DIVISION SEVEN (Continued)

B123922 In re Tianna H., a minor. (Not for Publication)
Los Angeles County, D.C.S
v.
Sonya H.

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B123777 Los Angeles County, D.C.S. (Not for Publication)
v.
Lisa S.
In re Shannon B., a minor

The July 2, 1998, order is reversed, and the October 16, 1996, order is res
judicata on the termination of appellant's parental rights and cannot be set
aside, changed or modified.

Woods, J.

We concur: Johnson, Acting P.J.
Neal, J.

B122371 People (Not for Publication)
v.
Eugene R., a minor

The order under review is modified to strike the provision in the court's
order that the minor was committed for a specified period of days in long-
term camp. A new order is entered for camp community placement and
"long-term camp." In all other respects, the order under review is affirmed.

Woods, J.

We concur: Lillie, P.J.
Neal, J.

March 10, 1999-Continued

DIVISION SEVEN (Continued)

B115041 Alonzo (Not for Publication)
v.
Hurst, Chinello & Mandell, et al.

The judgment of the superior court is affirmed. Respondents to recover their costs on appeal.

Woods, J.

We concur: Lillie, P.J.
Neal, J.

B120769 People (Not for Publication)
v.
Luhrsen

The order under review is affirmed. The judgment is modified to impose penalty assessments in relation to the laboratory analysis fee, respectively, of \$50 and \$35. The superior court shall send an amended abstract of judgment to the California Department of Corrections which states appellant is obligated for a restitution fine, a laboratory analysis fee and the penalty assessments described above.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B121124 People
v.
Lara

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)